

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
TONY MORTON,

Petitioner,

-against-

ADA PEREZ, SUPERINTENDENT, DOWNSTATE
CORRECTIONAL FACILITY,

Respondent.

ANALISA TORRES, District Judge:

On June 10, 2013, Petitioner, Tony Morton, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 1, 2013, the Court referred the matter to Magistrate Judge Gabriel W. Gorenstein.

After careful consideration, Magistrate Judge Gorenstein issued a Report and Recommendation (“R & R”), proposing that Petitioner’s petition be denied. Despite notification of the right to object to the R & R, no objections were filed, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R & R for clear error. *Dunham v. City of New York*, No. 11 Civ 1223, 2013 WL 929029, at *1 (S.D.N.Y. Mar. 11, 2013). The Court’s review finds no clear error, and accordingly, the Court ADOPTS Magistrate Judge Gorenstein’s R & R in its entirety. Petitioner’s petition is DENIED.

The Clerk of Court is directed to close the case and to mail a copy of this order to *Pro Se* Petitioner.

SO ORDERED.

Dated: March 11, 2014
New York, New York

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13 Civ. 3985 (AT)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**


ANALISA TORRES
United States District Judge